

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 24741-1529

Applicant: DAHM et al.

Appl. No.: 09/890,649

Examiner: Unassigned

Filing Date: October 26, 2001

Art Unit: Unassigned

Title: METHOD FOR THE ENRICHMENT OR DEPLETION OF TUMOR CELLS FROM A BODY FLUID AND KIT SUITABLE THEREFOR

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on the attached Form PTO/SB/08A is a document known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. A copy of the listed document is being submitted to comply with the provisions of 37 C.F.R. §1.97-§1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) prior to the mailing date of the first official action, therefore, no fee is required in connection with its filing.

Applicants respectfully request that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: Oct. 25, 2001

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Sheet 1 of 1

| PTO/SB/68A | | ATTY DOCKET NO. 24741-1529 | SERIAL NO. 09/890,649 | | | | |
|--|-----|---------------------------------|--------------------------|-----------------------|-------|----------|----------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | APPLICANT DAHM <i>et al.</i> | | | | | |
| (Use several sheets if necessary) | | FILING DATE October 26, 2001 | | GROUP Unassigned | | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE (M/D/Y) | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | A1 | 3,741,400 | 06/26/73 | Dick | | | |
| | A2 | 3,887,464 | 06/03/75 | Ayres | | | |
| | A3 | 3,945,928 | 03/23/76 | Ayres | | | |
| | A4 | 5,270,171 | 12/14/93 | Cercek <i>et al.</i> | | | |
| | A5 | 5,577,513 | 11/26/96 | Van Vlasselaer | | | |
| | A6 | 5,663,051 | 09/02/97 | Vlasselaer | | | |
| | A7 | 5,807,744 | 09/15/98 | Bememan <i>et al.</i> | | | |
| | A8 | 5,840,502 | 11/24/98 | Van Vlasselaer | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE (M/D/Y) | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
| | A9 | WO 97/21488 | 06/19/97 | PCT | | | |
| | A10 | 0 566 252 A2 | 10/20/93 | EPO | | | |
| | A11 | 0 875 202 A2 | 04/25/98 | EPO | | | |
| | A12 | WO 96/07097 | 03/07/96 | PCT | | | |
| | A13 | WO 00/46585 A3 | 08/10/00 | PCT | | | |
| OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
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| EXAMINER | | | | DATE CONSIDERED | | | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.